

<b>FEE TRANSMITTAL</b> for FY 2005    <input type="checkbox"/> Applicant claims small entity status		Complete if Known		
		Application Number	10/613,018	
		Filing Date	July 7, 2003	
		First Named Inventor	Wienhues et al	
		Examiner Name	Steele	
		Group Art Unit	1639	
Total Amount of Payment	(\$)	130	Attorney Docket Number	2923-543
		Confirmation Number	8627	

**METHOD OF PAYMENT** (check one)

- The Commissioner is hereby authorized to charge the fees indicated below or credit overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- Charge any additional fee required under 37 CFR 1.16 and 1.17 to Deposit Account No. 02-2135.
- Payment by check enclosed

**FEES CALCULATION**
**1. FILING, SEARCH AND EXAMINATION FEES**

Code	Fee	Fee Description	Fee Paid
1001	300	Utility Filing Fee	[ ]
	790	filed before Dec. 8, 2004	[ ]
1111	500	Utility Search Fee	[ ]
1311	200	Utility Examination Fee	[ ]
1002	200	Design Filing Fee	[ ]
	350	filed before Dec. 8, 2004	[ ]
1112	100	Design Search Fee	[ ]
1312	130	Design Examination Fee	[ ]
1003	200	Plant Filing Fee	[ ]
	550	filed before Dec. 8, 2004	[ ]
1113	300	Plant Search Fee	[ ]
1313	160	Plant Examination Fee	[ ]
1004	300	Reissue Filing Fee	[ ]
	790	filed before Dec. 8, 2004	[ ]
1114	500	Reissue Search Filing Fee	[ ]
1314	600	Reissue Examination Fee	[ ]
1005	200	Provisional Filing Fee	[ ]

**SUBTOTAL**

\$ [ ]

**2. CLAIMS**

		Extra Claims	Fee	Fee Paid
Total Claims	[ ]	- 20*	= [ ]	x \$50 = [ ]
Independent Claims	[ ]	- 3*	= [ ]	x 200 = [ ]
Multiple Dependent Claims	[ ]	+ [ ]	= [ ]	360 = [ ]

\*or number previously paid, if greater

**SUBTOTAL**

\$ [ ]

**SUBTOTAL**

\$ 130

**3. APPLICATION SIZE FEE**

Total Sheets [ ] - 100 = [ ] / 50 = [ ] \*\* x \$250 =

\*\* Number of each additional 50 or fraction thereof

**SUBTOTAL**

\$ [ ]

*PW*
**FEES CALCULATION (continued)**
**4. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	[ ]
1052	50	Surcharge - late provisional filing fee or cover sheet	[ ]
1053	130	Non-English specification	[ ]
1812	2,520	For filing a request for reexamination	[ ]
1804	920	Requesting publication of SIR prior to Examiner action	[ ]
1805	1,840	Requesting publication of SIR after Examiner action (reduced by basic filing fee paid)	[ ]
1251	120	Extension for reply within first month	[ ]
1252	450	Extension for reply within second month	[ ]
1253	1,020	Extension for reply within third month	[ ]
1254	1,590	Extension for reply within fourth month	[ ]
1255	2,160	Extension for reply within fifth month	[ ]
1401	500	Notice of Appeal	[ ]
1402	500	Filing a brief in support of an appeal	[ ]
1403	1,000	Request for Oral Hearing	[ ]
1451	1,510	Petition to institute a public use proceeding	[ ]
1452	500	Petition to revive -unavoidable	[ ]
1453	1,500	Petition to revive - unintentional	[ ]
1807	50	Processing fee under 37 CFR 1.17(q)	[ ]
1806	180	Submission of Information Disclosure Statement	[ ]
1809	790	Filing a submission after final rejection (37 CFR .129(a))	[ ]
1810	790	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
1801	790	Request for Continued Examination (RCE)	[ ]
1802	900	Request for expedited examination of a design application	[ ]
1504	300	Publication fee for early, voluntary, or normal publication	[ ]
1505	300	Publication fee for republication	[ ]
1455	200	Filing application for patent term adjustment	[ ]
1456	400	Request for reinstatement of term reduced	[ ]
1814	130	Statutory Disclaimer	[ \$130 ]
		Other fee (specify)	[ ]

**SUBMITTED BY**

Complete (if applicable)

NAME AND REG. NUMBER	Monica Chin Kitts, Reg. No. 36,105			
SIGNATURE		DATE	September 5, 2006	DEPOSIT ACCOUNT USER ID



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/613,018  
Applicant : Ursula-Henrike WIENHUES  
Filed : July 7, 2003  
TC/A.U. : 1639  
Examiner : Amber D. Steele

Docket No. : 2923-543  
Customer No. : 06449  
Confirmation No. : 8627

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL  
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Director of the United States Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

09/06/2006 MBERHE 00000123 022135 10613018  
02 FC:1814 130.00 DA

Sir:

The owner, Roche Diagnostics GmbH, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of prior Patent No. 6,613,530. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as

presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

Statement under 37 C.F.R. 3.73(b)

Roche Diagnostic GmbH is the assignee of 100 percent interest in the instant application, by virtue of an assignment recorded in the U.S. Patent and Trademark Office at Reel 009971 and Frame 0915.

The undersigned, whose title is supplied below, is empowered to act on behalf of the owner.

Declaration

The undersigned hereby declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

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under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Roche Diagnostic GmbH

By:   
Signature

Typed Name: Dr. Naser Dr. Hildebrandt

Typed Title: Mandatory Mandatory

Date: July 13, 2006